

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
PETITION

FORM EXEMPT UNDER 44 U.S.C.

DO NOT WRITE IN THIS SPACE

Case No.

10-RC-15689

Date Filed

APRIL 8, 2008

INSTRUCTIONS: Submit an original and 4 copies of this Petition to the NLRB Regional Office in the Region in which the employer concerned is located. If more space is required for any one item, attach additional sheets, numbering item accordingly.

The Petitioner alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority pursuant to Section 9 of the National Labor Relations Act.

1. PURPOSE OF THIS PETITION (If box RC, RM, or RD is checked and a charge under Section 8(b)(7) of the Act has been filed involving the Employer named herein, the statement following the description of the type of petition shall not be deemed made.) (Check One)
- ☒ **RC-CERTIFICATION OF REPRESENTATIVE** - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees.
- ☐ **RM-REPRESENTATION (EMPLOYER PETITION)** - One or more individuals or labor organizations have presented a claim to Petitioner to be recognized as the representative of employees of Petitioner.
- ☐ **RD-DECERTIFICATION (REMOVAL OF REPRESENTATIVE)** - A substantial number of employees assert that the certified or currently recognized bargaining representative is no longer their representative.
- ☐ **UD-WITHDRAWAL OF UNION SHOP AUTHORITY (REMOVAL OF OBLIGATION TO PAY DUES)** - Thirty percent (30%) or more of employees in a bargaining unit covered by an agreement between their employer ☐ a labor organization desire that such authority be rescinded.
- ☐ **UC-UNIT CLARIFICATION** - A labor organization is currently recognized by Employer, but Petitioner seeks clarification of placement of certain employees: (Check one) ☐ In unit not previously certified. ☐ In unit previously certified in Case No. _____
- ☐ **AC-AMENDMENT OF CERTIFICATION** - Petitioner seeks amendment of certification issued in Case No. _____
Attach statement describing the specific amendment sought.

2. Name of Employer
Chugach Industries, Inc.

Employer Representative to contact
John R. Dixon

Telephone Number
256-544 4901

3. Address(es) of Establishment(s) involved (Street and number, city, State, ZIP code)
MSFC- Bldg. 4348 Huntsville, AL 35812

Telecopier Number (Fax)
256 544 3871

4a. Type of Establishment (Factory, mine, wholesaler, etc.)
Service

4b. Identify principal product or service
Service Contracts

5. Unit Involved (In UC petition, describe present bargaining unit and attach description of proposed clarification.)

Included
All full time employees at this site.

Excluded
All office clerical employees, guards and supervisors as defined in the Act.

6a. Number of Employees in Unit:
Present
12
Proposed (By UC/AC)

6b. Is this petition supported by 30% or more of the employees in the unit? ☒ Yes ☐ No
*Not applicable in RM, UC, and AC

(If you have checked box RC in 1 above, check and complete EITHER item 7a or 7b, whichever is applicable)

7a. ☐ Request for recognition as Bargaining Representative was made on (Date) April 3 08 and Employer declined recognition on or about (Date) (if no reply received, so state).

7b. ☐ Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.

8. Name of Recognized or Certified Bargaining Agent (If none, so state.)

Affiliation

Address, Telephone No. and Telecopier No. (Fax) () - () -

Date of Recognition or Certification
/ /

9. Expiration Date of Current Contract. If any (Month, Day, Year) / /

10. If you have checked box UD in 1 above, show here the date of execution of agreement granting union shop (Month, Day and Year) / /

11a. Is there now a strike or picketing at the Employer's establishment(s) involved? Yes ☐ No ☒

11b. If so, approximately how many employees are participating?

11c. The Employer has been picketed by or on behalf of (Insert Name) _____, a labor organization, of (Insert Address) _____ Since (Month, Day, Year) / /

12. Organizations or individuals other than Petitioner (and other than those named in items 8 and 11c), which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in unit described in item 5 above. (If none, so state)

Name	Affiliation	Address	Date of Claim / /
			Telecopier No. (Fax) () -

13. Full name of party filing petition (If labor organization, give full name, including local name and number)
Local 320 International Union of Operating Engineers AFL-CIO

14a. Address (street and number, city, state, and ZIP code)
405 Hicks Blvd. East Florence, AL 35630

14b. Telephone No. EXT
256 764 6991

14c. Telecopier No. (Fax)
256 764 6996

15. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)
International Union Operating Engineers AFL-CIO

I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Telephone No. (b) (6), (b) (7)(C)

Telecopier No. () -

WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

CHUGACH INDUSTRIES, INC

EMPLOYER

AND

INTERNATIONAL UNION OPERATING
ENGINEERS LOCAL 320

UNION

Case No. <u>10-RC-15689</u>	Date Filed <u>04/08/2008</u>
Date Issued <u>05/15/2008</u>	
Type of Election (Check one:) <input checked="" type="checkbox"/> Stipulation <input type="checkbox"/> Board Direction <input type="checkbox"/> Consent Agreement <input type="checkbox"/> RD Direction Incumbent Union (Code) _____	(If applicable check either or both:) <input type="checkbox"/> 8(b) (7) <input type="checkbox"/> Mail Ballot

TALLY OF BALLOTS

The undersigned agent of the Regional Director certifies that the results of the tabulation of ballots cast in the election held in the above case, and concluded on the date indicated above, were as follows:

- | | |
|--|-----------|
| 1. Approximate number of eligible voters | <u>11</u> |
| 2. Number of Void ballots | <u>0</u> |
| 3. Number of Votes cast for <u>INTERNATIONAL UNION OPERATING ENGINEERS LOCAL 320</u> | <u>9</u> |
| 4. Number of Votes cast for | |
| 5. Number of Votes cast for | |
| 6. Number of Votes cast against participating labor organization(s) | <u>2</u> |
| 7. Number of Valid votes counted (sum of 3, 4, 5, and 6) | <u>11</u> |
| 8. Number of Challenged ballots | <u>0</u> |
| 9. Number of Valid votes counted plus challenged ballots (sum of 7 and 8) | <u>11</u> |
| 10. Challenges are <u>(not)</u> sufficient in number to affect the results of the election. | |
| 11. A majority of the valid votes counted plus challenged ballots (Item 9) <u>has</u> (not) been cast for <u>INTERNATIONAL UNION OPERATING ENGINEERS LOCAL 320</u> | |

For the Regional Director
REGION 10

[Signature]

The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally.

For CHUGACH INDUSTRIES, INC

[Signature]

For INTERNATIONAL UNION OPERATING
ENGINEERS LOCAL 320

[Signature]

For _____

For _____

CHUGACH INDUSTRIES, INC.

Employer

and

INTERNATIONAL UNION OPERATING ENGINEERS LOCAL 320

Petitioner

TYPE OF ELECTION

(CHECK ONE)

☐ CONSENT

☒ STIPULATED

☐ RD DIRECTED

☐ BOARD DIRECTED

(ALSO CHECK BOX
BELOW WHEN APPROPRIATE)

☐ 8(b)(7)

CASE 10-RC-15689

CERTIFICATION OF REPRESENTATIVE

An election has been conducted under the Board's Rules and Regulations. The Tally of Ballots shows that a collective-bargaining representative has been selected. No timely objections have been filed.

As authorized by the National Labor Relations Board, it is certified that a majority of the valid ballots have been cast for

INTERNATIONAL UNION OPERATING ENGINEERS LOCAL 320

and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit.

UNIT:

All motor vehicle mechanics, ground maintenance leads, ground laborers, and tractor operators performing NASA Grounds work for the Employer at the MSFC Redstone Arsenal in Huntsville, Alabama 35801, excluding office clericals, Project Manager, Deputy Project Manager, Site Administrator/HR, professional employees, guards and supervisors as defined in the Act.



Signed at Atlanta, Georgia

On the 28th day of

May 2008

A handwritten signature in black ink, reading "Martin M. Arlook".

Martin M. Arlook

Regional Director, Region 10
National Labor Relations Board

cc: Barney Uhart, President and CEO of
Chugach Industries, Inc.
560 East 34th Avenue
Anchorage, AK 99503

(b) (6), (b) (7)(C)

Internaitonal Union of Operating Engineers
Local 320
405 Hickd Blvd., East
Florence, AL 35630

John R. Dixon, Employer Representative
Chugach Industries, Inc.
MSFC-Bldg. 4348
Huntsville, AL 35812